

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 2:22-cv-203-JRG
)	
MICRON TECHNOLOGY, INC.; MICRON)	JURY TRIAL DEMANDED
SEMICONDUCTOR PRODUCTS, INC.;)	
MICRON TECHNOLOGY TEXAS LLC,)	
)	
Defendants.)	
)	

UNOPPOSED MOTION TO AMEND DOCKET CONTROL ORDER

Plaintiff Netlist, Inc. (“Netlist”) hereby files this unopposed motion to extend the deadline for the parties to complete expert discovery from November 10, 2023 to December 11, 2023. The deadline Netlist seeks to extend does not require a showing of good cause, and Netlist’s requested extension would not require any amendment to the remaining schedule. Defendants Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Technology Texas LLC (collectively “Micron”) do not oppose the requested extension. A proposed order is attached.

Current Deadline	Amended Deadline	Event
January 22, 2024	No change	* Jury Selection – 9:00 a.m. in Marshall, Texas
December 26, 2023	No change	* If a juror questionnaire is to be used, an editable (in Microsoft Word format) questionnaire shall be jointly submitted to the Deputy Clerk in Charge by this date.
December 20, 2023	No change	* Pretrial Conference – 9:00 am in Marshall, Texas before Judge Roy Payne

December 15, 2023	No change	*Notify Court of Agreements Reached During Meet and Confer The parties are ordered to meet and confer on any outstanding objections or motions <i>in limine</i> . The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.
December 12, 2023	No change	*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions <i>in Limine</i> , Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations
December 4, 2023	No change	*File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e- mail the Court Reporter, Shelly Holmes, at shelly_holmes@txed.uscourts.gov .
December 5, 2023	No change	File Motions <i>in Limine</i> The parties shall limit their motions <i>in limine</i> to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.
November 27, 2023	No change	Serve Objections to Rebuttal Pretrial Disclosures
November 20, 2023	No change	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
November 6, 2023	November 8, 2023	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof

November 28, 2023	No change	<p>*Response to Dispositive Motions (including <i>Daubert</i> Motions).</p> <p>Responses to dispositive motions that were filed <u>prior</u> to the dispositive motion deadline, including <i>Daubert</i> Motions, shall be due in accordance with Local Rule CV-7(e), not to exceed the deadline as set forth in this Docket Control Order. Motions for Summary Judgment shall comply with Local Rule CV-56.</p>
November 14, 2023	No change	<p>*File Motions to Strike Expert Testimony (including <i>Daubert</i> Motions)</p> <p>No motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.</p>
November 14, 2023	No change	<p>*File Dispositive Motions</p> <p>No dispositive motion may be filed after this date without leave of the Court.</p> <p>Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <u>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</u></p>
November 10, 2023	December 11, 2023	Deadline to Complete Expert Discovery

Dated: November 6, 2023

Respectfully submitted,

/s/ Jason Sheasby

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Attorneys for Plaintiff Netlist, Inc.

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for the parties have met and conferred over email, and that Micron does not oppose this motion.

/s/ Jason Sheasby
Jason Sheasby

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a).

/s/ Jason Sheasby
Jason Sheasby